



Adam Świętoń

University of Warmia and Mazury in Olsztyn

adam.swieton@uwm.edu.pl

ORCID 0000 0001 5292 2849

<https://doi.org/10.26881/gsp.2019.3.05>

**ASPECTS OF SEASHORE PROTECTION
IN THE LATE ROMAN EMPIRE.
A BRIEF OUTLINE OF THE PROBLEM
IN THE LIGHT OF IMPERIAL CONSTITUTIONS**

The article presents a brief outline of late Roman activity in the field of sea-shore supervision. The term is assumed to mean enforcement of law in the coastal areas with the exception of piracy and barbarian raids on the shores which should be rather considered as a problems of military nature. In my short presentation I would rather like to focus on the tasks of the civilian authorities, a number of the constitutions in the Theodosian and Justinian's Code specify illegal activities on the sea and in coastal territory that were to be counteracted by the central and local Roman civilian authorities. Certain key laws are listed below in three categories but the list is not exhaustive and should be approached only as an example of the adopted solutions.

Shipping of illegal goods

As for prohibited goods, there is a relatively significant number of sources attesting to the efforts of the Roman authorities to control the shipping of goods which one the one hand could have strengthened the enemy and on the other resulted in the weakening of the Roman market. One of the examples is the constitution of Emperors Constantius and Julian dated 356 (or 352).¹ Its provisions limited or in some cases completely prohibited the use of some types of coins in trade. Coins that were not officially approved for public use became illegal. These included the copper *maiorina* and the bronze *cententionalia*. According to

¹ C. Th. 9.23.1.

the A.H.M. Jones, the prohibition was introduced in order to reduce the speculation in copper coinage.² As a result, the tradesmen and shipmasters carrying such coins ran the risk of confiscation. The prohibition referred to both local land portage and wider maritime transportation.

Restrictions in shipping were also introduced in other situations. In 420, emperors Honorius and Theodosius addressed a law to Eustathius, prefect of Orient (C. Th. 7.16.3).³ It mentions – though somewhat vaguely – the *merces illicitae* that could not be transported *ad nationes barbaras*. In the subsequent text of the constitution there is no clarification concerning such prohibited goods, but it may be found in other constitutions preserved in Justinian's and the Theodosian Codes. Undated law of Gratian, Valentinian and Valens issued in the 370s introduced a general ban on selling or supply of gold to barbarians (C. 4.63.2; a. 374?). Another constitution from that decade prohibited trade in wine, oil and sauces (*vini et olei et liquaminis*) with barbarians, even for taste (C. 4.41.1; a. 370–375). Later, in 445, the list of illegal goods was expanded to include weapons (*arcus, sagittae, spathae*) and armors (*loricae, scutae*): C. 4.41.2.

Also, any private cargo (*sarcina privata*) added to the public cargo shipped as a duty imposed by the *onus fiscal* was treated as unlawful, at least since 395. The constitution issued for the eastern part of Empire strictly prohibited shipmasters of the *navicularii* fleet from taking the opportunity to place a private burden upon the public cargo (C. Th. 13.8.1).⁴

Transportation of illegal or unwelcome persons

In some instances, Roman law introduced provisions pertaining to classes of persons whose transportation across the sea was prohibited. The best known is the constitution of Gratian, Valentinian and Valens issued in 378 (C. Th. 10.19.9), which states that Vindicianus, the vicar of an unknown western diocese was informed that letters had been sent to the prefects of Gaul and Italy, and indirectly to all the governors of the coastal provinces,⁵ with an injunction that none of the *aurileguli* (gold miners) should be transported across the sea to Sardinia. The reason for such a provision is unclear – text of constitution mentions an indefinite “privilege of the new statute” to encourage the *aurileguli* to move to the island. The sources are silent about the privilege – was it introduced in connection with gold extraction or for any other reason, and why did it not apply? It may be conjectured that Roman authorities, faced with the invasion of Goths and the exodus

² *Follis*, other types of coin could be transported from one place to another in a limited amount only. Cf. Jones (1974), 336.

³ PLRE 2, p. 436 (s.v. Fl. Eustathius 12).

⁴ According to B. Sirks, authorities “wanted to prevent overloading, which would increase the risk of shipwreck or jettisoning of the cargo.” Cf. Sirks (1991), 202.

⁵ PLRE 1, 967 (s.v. Vindicianus 1).

of gold miners from Thrace tried to restore gold mining in the Balkans. The prohibition was general: *universonum navigatio huiusmodi hominum generi clauderetur*.⁶

There is also another constitution that indirectly points to a category of persons who were prohibited from sailing to other parts of empire. The text of the constitution of Arcadius and Honorius issued in 419 proscribes transfer of knowledge about the construction of vessels to the barbarians under the penalty of death (C. Th. 9.40.24). The nature of this provision is obvious given the fact that the Vandals had just reached the southern part of the Iberian peninsula and in consequence west African provinces, mainly Mauretania, faced the danger of invasion. Despite the lack of traces of any regulations it may be presumed – with some degree of caution – that Roman authorities closely monitored the population of skilled craftsmen and prevented them from travelling to the provinces close to barbarian encampments.

Contravention of duties by the *navicularii*

As for the *navicularii*, the members of the guild of the grain-shippers, it has been mentioned above that some of the shipmasters were obliged to transport the annona or fiscal goods without any cargo of private goods added on top of it. This is not the only example showing how the *navicularii* sought the opportunity to make additional business apart from the compulsory duty. The example of constitution of Arcadius and Honorius dated 409 AD, addressed to the prefect of the Orient Anthemius shows that the vessels of the *navicularii* sailing from Alexandria to Constantinople changed the course or dispersed among the islands under various pretexts (such as stormy weather). In consequence, the cargo was delivered to the state warehouses and granaries with delay (C. Th. 13.5.32).⁷ Another law shows that fully loaded ships would postpone their departure from ports to Constantinople despite favorable weather conditions (C. Th. 13.5.34; a. 410).

The text of the constitution of Honorius and Theodosius issued in 409 AD shows that some shipmasters accepted public cargo: taxes in kind (*species fiscalia*) with malicious intent to sell it in another part of empire (C. Th. 13.5.33).

The examples described above do not exhaust the list of possible practices. The political situation was likely to involve new factors, e.g. control of mobility of some groups (gold miners for instance). It is visible, *per analogiam*, on the example of the constitution dated 408 or 409 AD which comprised the provisions of a treaty between the Romans and Persians with relation to cross-border trade (C. 4.63.4). As the text explicitly shows, in order to avoid the potential risk of espionage merchants were allowed to trade only in selected towns. Besides the marketplaces, border-crossing points were established. A similar situation occurred in the Dan-

⁶ See C. Th. 10.19.6 (a. 369) about similar earlier restrictions. As for the possible reasons of these restrictions see McCormick (2001), 42.

⁷ Cf. PLRE 2, p. 93 (s.v. Anthemius 1).

ubian provinces.⁸ The provisions of the constitution refer to the inland area, but the text provides an excellent basis to consider potential cross-border control in the maritime areas. There were authorized harbors for foreign trade on the coasts of the Empire, e.g. Clysmā on the coast of the Heroopoliticus Sinus (Gulf of Suez), which according to A.H.M. Jones was the “sole authorized port for the Red Sea and Indian trade” (cf. Jones, 1964, 827). Creation of such control-points to channel maritime traffic was more difficult in the Mediterranean for a variety of reasons (incomparably longer coastline, differences in the attitude towards foreigners among the local population and the population of the Empire, etc).

Even today, the main problem in performing of policing duties in the Mediterranean is its coastline which, especially in its northern part, is strongly expanded, with the dominance of two large peninsulas: the Apennine and the Balkan. The shores abound in numerous gulfs and bays, while the eastern Mediterranean (mostly the Aegean Sea and the eastern coasts of the Ionian and the Adriatic Sea) are dominated by variedly sized islands and archipelagos. The situation is much better in the western region of the Black Sea. Its western and southern coastline, which in the fourth century remained under direct control of Constantinople, is less extensive. The only element of topography which may have caused difficulties in patrolling the sea is the marshy area of the Danube Delta and its lagoons. In the Roman period, plenty of small coves and islands, located far from human dwellings and centers of administration, were able to provide excellent opportunities for every kind of illegal or hostile activities. It is clear and undisputable that patrolling the entirety of the coasts and open sea was beyond the capabilities of the Roman administration. The most effective and economical solution was to control the “bottlenecks” in which, because of its features, every unwelcome activity could be focused. In order to load or unload illegal cargo or to take passengers onboard, the ships had to find a suitable place whose number was limited: harbors, anchorages or safe bays situated near human settlements or transport routes. Authorities were able concentrate their activities in such areas and maximize the probability of detecting undesirable actions. When emperor Constantius prohibited the use of some coins in trade in 356 or 352 AD, he also ordered that to counteract violations of the law the officials should guard the harbors and various shores where there was customarily very easy access to ships: *portus enim litoraue diversa, quo facilius esse navibus consuevit accessus* (C. Th. 9.23.1).

It is no surprise that, according to imperial constitutions, the officials responsible for the policing of the shores were mainly province governors (*praesides provinciarum* or *rectores provinciarum*, often styled in the legal sources as the *iudices*). The aforementioned constitution of Constantius reserved the right to punish the guilty of their infringement. The constitution concerned with the problem of miners escaping to Sardinia also names the governors of the coastal provinc-

⁸ On the role of *Daphnae* and *Noviodunum* as the sole marketplaces for the Roman-Goth trade see Wiewiorowski (2007), 261.

es (*provinciarum, quae mari alluuntur, iudices*) as responsible for the control of the passengers of ships sailing to Sardinia (C. Th. 10.19.9; a. 378). The control over the ships of the *navicularii*, which delayed sailing under the pretext of stormy weather, was also entrusted to the *iudices* (C. Th. 13.5.34; a. 324). Nevertheless it was not a general rule. In some cases, the responsibility for the policing activities was assigned to the military commanders of the border troops (*duces*) – such a solution was delegated in some Danubian provinces.⁹ On the other hand, the 409 constitution issued relating to the *navicularii* mentions *praefectus augustalis* as the official responsible for the coordination of grain transports (C. Th. 13.5.32). These measures depended on the local circumstances; in the former case, the frontier Danubian provinces were garrisoned by strong military forces, whereas in the latter the explanation lies in the special status of diocese of Egypt and its particular importance for the grain supply of Constantinople.

It is clear that in order to perform the policing duties imposed by constitutions, the governors devolved such tasks to the subordinate staff from their *officium* or cooperated with other officials. The types of the lower-grade apparitors are named in the sources rather rarely. The constitution of Constantius dated 352 (356) mentions generally *idoneos officiales* to whom the supervision of the harbors and other places accessible to ships should be entrusted (C. Th. 9.23.1). These would be local authorities (i.e. curiales of the municipalities) or members of the imperial administration. For example, the constitution issued in 420 AD mentions the *defensor civitatis* and member of the imperial bodyguard (*protector*) as persons responsible for the examination of those who were suspected of selling *illicitae merces* to the barbarians (C. Th. 7.16.3).

The survey of two constitutions devoted to the members of *corpora naviculariorum* could shed some light on this question. The first of those, issued by Constantine in 326 AD granted the *navicularii* immunity from burdens imposed as *munera publica* (*ut a collationibus et omnibus oblationibus liberati integris patrimoniis navicularium munus exercent*) and from curial obligations (if they were *curiales*).¹⁰ According to text, their ships should not be detained during voyage under the pretext of compulsory public services. The sanction for contravening the law was capital punishment. The text enumerates the categories of officials who should be aware of the granted concession: custodians of the shores, provosts of the imposts, tax collectors, decurions, representatives of the fisc and province governors (*litorum custodibus et vectigalium praepositis exactoribus decurionibus adque rationalibus et iudicibus*).

Immunitas of the *navicularii* was again confirmed in the constitution of Valentinian II in 386 AD (C. Th. 13.5.17). The list of the officials, who had to refrain from burdening the *navicularii* and their ships with compulsory public services, *oblationes* or tax payment in kind (*omnibus oneribus et muneribus et collationibus et*

⁹ As for the control of the illegal trade across the border see Wiewiorowski (2007), 260–262.

¹⁰ C. Th. 15.5.5. Cf. Sirks (1991), 142.

oblationibus) is iterated almost word-for-word after the constitution of Constantine. Every custodian of the shores, provost of the imposts, tax collector, decurion, representative of the fisc or governor of any province was subject to capital punishment if they should violate the law (*seu custos litorum seu vectigalium praepositus seu exactor vel decurio seu rationalis vel iudex cuiuscumque provinciae*).

The officials mentioned in the two constitutions were evidently entitled to control all ships entering to the harbor and impose public burdens on the owners or *magistri navis*. Even though they differed in terms of scope of their tasks, the duties involved and the position in the hierarchy of power (decurions were not even officials in the strict sense of the word), most of them were engaged in fiscal affairs: the *exactores* and the *praepositi vectigalium* were responsible for the taxes, the *rationales* collected the imperial rents, decurions often participated in the tasks of the taxation system (Jones, 1964, 414 and 430). However, very little is known about the functions of the *custodies litorum*. This designation is very interesting, since it appears only in the two above-mentioned constitutions.¹¹ One could speculate about the general meaning of the term, which may have denoted undefined officials to whom all matters related to the control of maritime traffic were entrusted. The term may have appeared as a *hapax legomenon* in the constitution of Constantine only to be repeated in the constitution of Valentinian II. Yet, on the other hand, *custodes litorum* are listed in the text immediately next to other well-known types of officials whose titles are precisely and strictly defined. This raises the question about the sense of using technical terminology and generalized terms in one phrase. So, if we assume that there existed a separate post of *custos litroum*, what were their duties and tasks? The competences of other officials mentioned in the two constitutions by far exceed the scope of affairs related to the maritime trade and traffic. But the titular of *custos* clearly suggests specific tasks related with the coastal and maritime activity (though the context of the quoted text associates *custodes litorum* with the fiscal sphere). In his commentary to C. Th. 13.5.5 (a. 326), Iacobus Gothofredus described *custodes litorum* as an official *qui litoribus praesidebant*; however, he did not explain what this protection could have meant (Gothofredus, 1736, 70). It is not sufficiently clear whether the competences of the *custodes* were purely administrative (*custodia* in a narrow sense of maintaining public order) or cover some tasks of quasi-military nature (*custodia* in a wider sense of ensuring protection against all types of threats).

Gianfranco Purpura links *custodes litorum* with the *curiosi cursus publicus* (Purpura, 1973, 47–48).¹² He does not concur with other scholars who recognized *custodes* as a separate type of official. In his opinion, the preserved sources do not provide adequate grounds for such conclusions. *Custodes litorum* (*curiosi litorum*)

¹¹ The text of C. Th. 10.19.9 (a. 376), which bans the carriage of miners to Sardinia mentions the *custodes* (not *litoris*) but the context is uncertain. It may well have been used in the text as a general term, not a technical one. Thus, in my opinion, it should not be taken into account.

¹² About the various tasks that were entrusted to the *curiosis* see Jones (1964), 578 f.

were the same officials as *curiosi cursus publici*, the officials who supervised public land transport. Imperial constitutions attest that *curiosi* also controlled maritime traffic (C. Th. 6.29.10–12; a. 412, 414, 415). They oversaw the coastal provinces, its coasts and seaports (*litora insuper portusque*).¹³ As they controlled the wagons and stations of the *cursus publicus*, the supervision of public maritime transport may be presumed to have been a part of their responsibility.

However, the opinion about the nature of *custodies litorum* advanced by Purpura leaves room for speculation. It is also probable that *custodes litorum* may have derived from an earlier authority in charge of supervising the coast and harbors, which had existed in the past and was conveyed in the late Roman sources under a different term.

For example, jurist Paulus mentions the officials called the *limenarchae* (D. 11.4.4). Among other things, they were involved in going after fugitive slaves in order to return them to proper authorities. The term appears also in the passage of jurist Arcadius Charisius, who says that this office was held by the municipal officials as a *munus personalis* (D. 50.4.18.10) and is referred to in the constitution of Diocletian and Maximian dated 294 AD.¹⁴ According to C.J. Fuhrmann, the *limenarchae* supervised the harbors as “civilian port officials, clearly more aquatic than terrestrial”, while one inscription from Cyprus attests to the *limenarchae* as early as in the first century AD (Fuhrmann, 2011, 34, n. 43). Their tasks may have included searching the decks of ships in order to discover potential fugitives. Also, the similarities between the tasks of the *limenarchae* and duties of other officials of this kind may be considered; in the eastern, Greek-speaking provinces of the Empire, the governors of the provinces were assisted in maintaining public order by the *irenarchae*. Just as the *limenarchae*, they pursued runaway slaves and criminals. They were also responsible for the protection of local communities against bandits (Amielańczyk, 2007, 7); in other provinces of the Empire these tasks were entrusted to the *stationarii* (Amielańczyk, 2007, 7). The *stationarii* are also mentioned along with the *limenarchae* by Paulus in D. 11.4.4. Both types of officials – the *irenarchae* and the *stationarii* – may have acted as representatives of the governors in the criminal cases. They interrogated slaves and criminals before handing them over to the local authorities. One might ask whether the *irenarchae* and the *stationarii* had their counterpart in the *limenarchae*, who were entrusted with the protection of the shores, bays suitable for ships, coastal roads and harbors? The fact that the *custodes litorum* are named only in two constitutions concerned with fiscal matter does not fully account for their role. If we accept the view that the *custodes litorum* were local coast guard officers whose function originated with the *limenarchae*, then given their skills and knowledge about local coastline they were valuable to the representatives of the fisc and supported them in their tasks. Besides, they could perform other duties, such as patrolling

¹³ C. Th. 6.29.10 (a. 412). See also Di Paola (2013), 304.

¹⁴ C. 7.16.38. The law does not mention their duties and competences.

the shore or, just as *limenarchae*, catching fugitives who tried to escape to another transmarine province. With their knowledge of local coastal environment they could have been employed – as with the fiscal official – by the governors of the provinces, e.g. to control the cargo of the ships sailing along the seashore. In my opinion, identification of the *custodes litorum* offers a subject for further research.

Whether the *custodes litorum* were *curiosi* or another, distinct type of official, they probably had to cooperate in order to maintain public order along the coasts. Controlling ships of the *navicularii* (and perhaps “private” vessels as well) in the harbors required less numerous personnel but if we assume that policing activities of the *custodes* included surveillance of all places suitable for ships, as C. Th. 9.23.1 (a. 356 or 352) indicates, they were probably forced to cooperate (e.g. to catch the smugglers who tried to avoid the control in the harbors). The coast of the Empire was guarded here and there by the military units (stationed in permanent garrisons or deployed temporarily due to the current political and military situation¹⁵). The constitutions attest to the presence of quasi-military units called *burgarii* in some parts of Empire. Although these soldiers protected the frontier territory, they should not to be confused with the *limitanei* who had a higher status (Jones, 1964, 651). According to B. Isaac, the Syrian seashore was guarded by these irregular military units located in small fortified installations and watch-towers along the coastal roads (Isaac, 1990, 181). In Egypt, members of the *burgarii* could be civilians recruited from among the local population for guard duties (cf. Bagnall, 1976, 25). Late Roman legal sources confirm the existence of such units in Spain and other unnamed parts of the Empire, but there is no evidence of cooperation between them and the *custodes litorum* (C. Th. 7.14.1; a. 398).

Officials to whom such duties were entrusted were backed by a suitable infrastructure. In the harbor cities there were the *stationes portitoris* to control the shipping or exact taxes and local customs fees. In order to enhance control, smaller outposts could be erected on the shores outside the towns. Such network of coast stations was quite well developed in the Asian provinces. Apart from the harbor posts, a network of the *custodiae* existed along the coast. Between the main *custodiae* there were about 10 Roman miles (15 km), with smaller *custodiae* located along that distance (Pascal, 2014, 165), guarded by the local militias or squads of sentinels.¹⁶ As sources show, they were able to repel small groups of bandits.¹⁷ Military

¹⁵ See C. Th. 7.16.2 (a. 410).

¹⁶ As Aubert observes (1995), 261, local militias, paramilitary units or civilian guards were involved in police activities because of “the shortage of soldiers in critical areas.”

¹⁷ In 399 AD, such militias, composed of countrymen under the command of a local landowner named Valentinus, successfully repulsed invasions of barbarians commanded by the Goth Tribigild. See Zos. V 15.1–16.3. A number of landowners were able to raise small units equipped with self-manufactured weapons; cf. Lewin (1993), 380. Undoubtedly, every armed force had to be authorized by the Roman Emperor (see deliberations of E. Birley on the question of legitimacy of militias formed in Britain in 410 AD: Birley (1988), 393). See also Lewin (1993), 382; Owens (1997), 493 ff.

provenance of such a network is obvious, but in the time of relative peace and developed fiscal policy its usefulness did not diminish. Some of buildings were constructed in order to watch the approach to the harbors and even facilitate navigation.¹⁸

A short survey of the legal sources indicates that policing the seashores and supervision of the maritime transport were within the purview of several types of officials. These were subordinated to various higher authorities (in some cases unclear, e.g. *custodes litorum*): governors of provinces, officials of the fisc or even high military commanders. At this point, one might ask whether there was some (or any) coordination of such activities; in my opinion, the question is worth researching in greater depth. Particular attention should be given to the *custodes litorum*. The opinion of G. Purpura is to some extent justified, but this justification suffers from the lack of sources to support it. This makes the question of the nature and origin of the *custodes litorum* open to further consideration and studies.

Secondary Sources

- Amielańczyk, K. (2007), 'Irenarchae'. Reforma sądowej policji śledczej za panowania Hadriana i Antonina Piusa, [in:] A. Dębiński, H. Kowalski, M. Kuryłowicz (eds.), *Salus rei publice suprema lex. Ochrona interesów państwa w prawie karnym starożytnej Grecji i Rzymu*, Lublin, pp. 7–26.
- Aubert, J.-J. (1995), Policing the countryside. Soldiers and civilians in Egyptian villages in the third and fourth centuries A.D., [in:] Y. Le Bohec (ed.), *La Hiérarchie (Rangordnung) de l'Armée Romaine sous le Haut-Empire*, Paris, pp. 257–265.
- Bagnall, R.S. (1976), *The Florida ostraka (O. Florida): Documents from the Roman Army in Upper Egypt*, Durham.
- Birley, E. (1988), *The Roman Army Papers 1929–1986*, Amsterdam.
- Ducin, S. (1997). *Sztuka nawigacji w starożytnej Grecji i w Rzymie*. Lublin.
- Fuhrmann, J.C. (2011), *Policing the Roman Empire. Soldiers, Administration and Public Order*, Oxford.
- Gothofredus, J. (1736), *Codex Theodosianus cum perpetuis commentariis...*, vol. 5, Lipsiae.
- Isaac, B.H. (1990), *The Limits of Empire: the Roman Army in the East*, New York.
- Jones, A.H.M. (1964), *The Later Roman Empire. A Social Economic and Administrative Survey*. Oxford, vol. 1–3.
- Jones, A.H.M. (1974), *The Roman Economy: Studies in Ancient Economic and Administrative History*, P.A. Brunt (ed.), Oxford.
- Lewin, A. (1993), 'Ius armorum', polizie cittadine e grandi proprietari nell'Oriente tardoantico, [in:] G. Crifò, S. Giglio (eds.), *Atti dell'Accademia Romanistica Costantiniana, IX Convegno Internazionale*, Napoli, pp. 375–386.
- McCormick, M. (2001), *Origins of the European Economy: Communications and Commerce AD 300–900*, Cambridge.
- Owens, E.J. (1997), Zosimus, the Roman Empire, and the End of Roman Britain, [in:] C. De Roux (ed.), *Studies in Latin Literature and Roman History VIII*, Brussels, pp. 478–504.

¹⁸ On the role of the observation towers see Ducin (1997), 155 f.

- Di Paola, L. (2013), 'Agentes in rebus, curiosi, basileos ophthalmoi, puethnes' e 'magistrani' all'opera nel controllo dei corpi e delle menti, [in:] *Atti dell' XIX convegno internazionale dell'Accademia Romanistica Costantiniana „Organizzare sorvegliare punire. Il controllo dei corpi e delle menti nel diritto della tarda antichità”*: in memoria di Franca de Marini Avonzo, Roma, pp. 297–312.
- Pascal, A. (2014), Maritime infrastructure. Between Public and Private Initiative, [in:] A. Kolb (ed.), *Infrastruktur und Herrschaftsorganisation im Imperium Romanum*, Berlin, pp. 161–179.
- Purpura, G. (1973), I 'Curiosi' e la 'schola agentum in rebus', *ASGP* 34, pp. 165–275.
- Sirks, B. (1991), *Food for Rome. The Legal Structure of the Transportation and Processing of Supplies for the Imperial Distributions in Rome and Constantinople*, Amsterdam.
- Wiewiorowski, J. (2007), *Stanowisko prawne rzymskich dowódców wojsk prowincjonalnych – 'duces' w prowincjach Scythia Minor i Moesia Secunda*, Poznań.

Adam Świętoń

**ASPECTS OF SEASHORE PROTECTION
IN THE LATE ROMAN EMPIRE. A BRIEF OUTLINE OF THE PROBLEM
IN THE LIGHT OF IMPERIAL CONSTITUTIONS**

The article contains brief considerations on the legal aspects of coastal protection in the period of the late Roman Empire. The Roman authorities of the transmarine provinces were likely to face problems such as the smuggling of illegal goods or unwelcomed persons. The question is who was in fact responsible for the prevention of and fight against unlawful activities. There are only few constitutions which indirectly refer to this problem. The laws indicate that the responsibility burdened various types of officials. Only one of them – *custos litorum* – seems to be strictly connected to the marine duties. The origins and competences of *custodes litorum* are however unclear and should be subject to further research.